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Central Administrative Tribunal  
Principal Bench

O.A. No. 1054 of 1998

New Delhi, dated this the 27th June, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE MR. KULDIP SINGH, MEMBER (J)

1. Shri Onkar Verma,  
S/o Shri Giriraj Singh,  
Asst. Commissioner of Police,  
R/o House No. 1-C,  
Sector-12, R.K. Puram,  
New Delhi-110022.
2. Shri H.K. Yadav, .  
S/o Shri L.S. Yadav,  
Asst. Commissioner of Police,  
R/o 213, Police Colony,  
Hauz Khas,  
New Delhi-110017. .. Applicants

(None appeared)

Versus

1. Union of India through  
its Secretary,  
Ministry of Home Affairs,  
Government of India,  
North Block, New Delhi-110001.
2. Lt. Governor through  
the Chief Secretary,  
Govt. of NCT of Delhi,  
Raj Niwas, Delhi.
3. Commissioner of Police, Delhi,  
Police Headquarters,  
M.S.O. Building, I.P. Estate,  
New Delhi-110002. .. Respondents

(By Advocate: Shri Ajay Gupta)

ORDER (Oral)

MR. S.R. ADIGE, VC (A)

Applicants seek inclusion in List 'F'  
(Executive) dated 31.8.73 (Annexure A-1) and for  
promotion as Inspectors of Police with all  
consequential benefits.

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2. None appeared on behalf of applicants even on the second call although the O.A. was listed at Serial No.2 of the regular list today. Shri Ajay Gupta appeared for Respondents and has been heard.


3. In the O.A. it has been alleged that Respondents have disregarded the Tribunal's orders dated 12.1.93 in O.A. No. 887/90 and thereby they have been denied inclusion in List 'F' (Executive). Respondents' counsel Shri Gupta has invited our attention to the Tribunal's order dated 23.8.96 in C.P. No. 140/94 arising out of O.A. No. 1887/90 and connected C.Ps in which it had been specifically <sup>alleged</sup> ~~stated~~ that Respondents had wilfully and deliberately flouted the Tribunal's order dated 12.1.93.

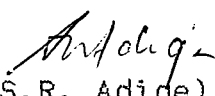
4. In its order dated 23.8.96 in C.P. No. 140/94 and connected C.Ps it had been observed that it could not be held that respondents had either wilfully disobeyed the order dated 12.1.93 or acted contrary to the directions contained in the same for which action ~~should~~ be initiated against them under the Contempt of Courts Act. The S.L.P. filed against the impugned order dated 23.8.96 was also dismissed by the Hon'ble Supreme Court on 28.4.97 after condoning the delay.

5. Respondents in their reply have stated that applicants were considered for admission of their names in promotion List 'F' (Ex.) in the year 1973 but could not be admitted to the said list as

they failed to make the grade. They state that by the Tribunal's order dated 12.1.93 directing respondents to hold review DPC for the year 1973 and 1975, respondents held the aforesaid review DPC in 1993 and while considering the cases of the applicants found them not upto the mark and, therefore, their names were not recommended for inclusion in List 'F' (Ex.). As stated earlier none has appeared on behalf of applicants even on second call to repel these assertions and no cogent materials have been placed before us to rebut the same.

6. In the light of the aforesaid facts and circumstances noticed above, we see no good reason to interfere in the O.A. which is dismissed. No costs.

  
(Kuldip Singh)  
Member (J)

  
(S.R. Adige)  
Vice Chairman (A)

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